



Request for Proposals

Program Elements

Program Year 2010

(July 1, 2010 to June 30, 2011)

This request for proposal is prepared in a Microsoft Word format. Any alterations to this document made by the proposer may be grounds for rejection of proposal, cancellation of any subsequent award, or any other legal remedies available to the City of Durham or the Durham Workforce Development Board.

Youth Program Elements

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RFP Timeline*

Action Item	Date
RFP Advertisement Period	(Website) Thursday March 18, 2010 thru Wednesday April 14, 2010 (Herald Sun, News & Observer) Mar 21, 24, 27, 28, 31, Apr 4, and 5
RFP Release Date	Thursday, March 18, 2010
Bidders Conference Pre-Award Technical Assistance	Wednesday, March 31, 2010 from 11:00-12:30
Due Date for Proposals	Friday, April 16, 2010
Award Announcement*	Friday May 28, 2010
Program start date*	Thursday, July 1, 2010

*Dates are approximate and subject to change.

Resource Materials

Resource materials relating to Workforce Investment Act Youth programs which may aid in preparing proposals are available on the internet at the following sites:

- A copy of the Workforce Investment Act is at <http://www.doleta.gov/reports/docs/legislation/>
- The final WIA regulations are available at <http://www.doleta.gov/reports/docs/legislation/>
- U.S. DOL Employment and Training and Employment Guidance Letters are available at <http://wdr.doleta.gov/directives/>
 - TEGL 09-00
 - TEGL 28-01
 - TEGL 18-00
 - TEGL 12-01
 - TEGL 07-99

Section I. Background and General Information

A. Introduction

1. Request for Proposal (RFP) Overview

The Durham Workforce Development Board (DWDB) is requesting proposals from organizations interested in providing program element services for the Workforce Investment Act (WIA)-funded Youth Employed and Succeeding (YES) Program. Programs must be dedicated to improving the quality of the emerging workforce by ensuring eligible youth have the opportunity to acquire the educational and skill competencies necessary for successful transition into adulthood, careers, and further education and training.

The program is intended to be a component of a customer-driven youth development system that makes accountability for performance and customer satisfaction a top priority, and expand linkages and collaborative efforts that foster a comprehensive system of services to meet the workforce development needs of eligible youth in Durham County.

Program element service providers will be responsible for providing specific elements of the WIA youth program to eligible WIA youth in the program and coordinating services with the Framework Service provider. Service providers will also be required to assist in expanding the linkages and collaboration efforts among program providers in Durham County that fosters a comprehensive system of services for eligible youth in the program.

Awards will be competitive, based on quality of the program design, expected outcomes, cost per participant, demonstrated past performance, and an understanding of the target population. Specific criteria included within the RFP instructions will be used to evaluate all submitted proposals. Funding for this proposal is provided through Title I-B of the Workforce Investment Act (WIA) of 1998 (Public Law 105-220).

2. Overview of the Workforce Investment Act

The Youth Council was created under the provisions of the Workforce Investment Act of 1998 (WIA) and provides policy guidance to the Durham Workforce Development Board regarding employment and training services for youth in Durham County. As a standing committee of the Durham Workforce Development Board, the Durham Youth Council has an important role in coordinating the area's youth activities youth between the ages of 14 and 21. Part of this role involves providing policy guidance and oversight in the planning of youth programs, determining eligible youth providers, and in recommending how Workforce Investment Act funding for youth services should be allocated.

The goal of the Youth Council is to support youth education, training and workforce development initiatives. To achieve this goal, the mission of the Durham Workforce Development Board Youth Council is to be a leader and coordinator in actively initiating

strategies and resources to ensure youth have the necessary tools and skills to be successful citizens in the Durham community.

3. Eligible Organizations

Organizations eligible to submit proposals for this RFP include:

- private for-profit businesses;
- private not-for-profit organizations (including faith and community-based organizations)
- labor groups
- governmental entities (including the public school system, community colleges, local government and other public sector organizations);

Any not-for-profit entity **MUST** have been incorporated for at least two years (as evidenced by a letter from the appropriate governing body certifying incorporation) **AND** be designated as a 501 c-3 tax-exempt organization by the Internal Revenue Service.

Any for-profit entity must have been incorporated at least two (2) years.

All entities must have a Business Privilege License on file with the City of Durham by the time of the award announcement (this is anticipated to be May 23, 2008). **Business Licenses can be obtained through the Business License Division of the City of Durham Finance Department by contacting Paul Mason at 560-4700.** There is a nominal cost associated with acquiring a Business Privilege License (501 c-3 organizations can acquire a Business Privilege for free with the appropriate tax-exempt documentation)

Also, applicants must provide an Original Certificate of Insurance naming the City of Durham as an “Additional Insured” by the time of the award announcement.

4. Proposal Submission Instructions

In order to be considered for funding, an original signed proposal, six (6) copies, and an electronic copy (CD-Rom, Flash Drive or Floppy Disk) must be received in the Durham Workforce Development Board’s (DWDB) administrative office **no later than 4:30 p.m. on Friday, April 16, 2010.** Because of the need for original signatures, proposals may not be e-mailed or faxed. Proposals may be hand delivered or mailed to the DWDB administrative office at:

WIA Youth Program Element Services Bid
Durham Workforce Development Board
Office of Economic and Workforce Development
302 E. Pettigrew St. Suite 190
Durham, North Carolina 27701
ATTN: Courtney McCollum, Operations Manager

Proposal Receipt Process

- A receipt will be given to individuals that hand deliver proposals and an acknowledgement will be sent to entities submitting by mail.
- Proposals will be stored in a designated secure location to insure confidentiality.
- No proposals will be opened until after the submission deadline identified in the RFP;
- Late proposals will not be considered for funding. Proposals received after the deadline for submission shall be noted, receipted, and filed unopened. Late is late, regardless of the method of submission.

5. Bidder's Conference

All parties interested in serving as a program element service provider may attend a **bidder's conference from Wednesday, March 31, 2010 from 11:00-12:30** at:

City of Durham
Office of Economic and Workforce Development
302 E. Pettigrew Street, Suite 190
Durham, North Carolina 27701
(919) 560-4965

Any questions relating to this RFP that a proposer wishes to have answered must be in writing. Questions solicited by telephone will not be answered. Questions a proposer wishes to have answered at the bidders' conference must be submitted in writing by Friday, March 26, 2010 by 4:30 p.m. This will allow the Durham Workforce Development Board staff to fully research questions and provide written answers at the bidders' conference. Any follow-up questions from the bidders' conference will be answered within 2 business days and will be distributed by e-mail to all prospective bidders and be available on the DWDB website at www.durhamnc.gov/departments/eed/dwdb_rfp.cfm. Questions not asked at the bidder's conference but submitted via e-mail, fax or mail will be answered within 48 hours and also posted to the website.

Following the bidders conference all questions relating to this RFP must be submitted by Tuesday April 13, 2010 at 4:30 p.m. Any questions received after this date will not be answered. E-mail, fax, or mail all questions to Courtney McCollum, Operations Manager.

E-mail: courtney.mccollum@durhamnc.gov

Fax: (919) 560-4986

Mail:

Program Elements RFP Question and Answer
Attn: Courtney McCollum
City of Durham Office of Economic and Workforce Development
302 E. Pettigrew Street, Suite 190
Durham, NC 27701

B. The WIA Youth Program

1. Youth Eligibility Information

In accordance with the WIA, an eligible youth is defined as an individual who at the time of application is:

- a. Age 14-21; and
- b. Low income as defined in the WIA section 101(25); and
- c. Is within one or more of the following categories:
 - 1. Deficient in basic literacy skills.
 - 2. A school dropout
 - 3. Homeless, runaway or foster child
 - 4. Pregnant or parenting
 - 5. An offender; or
 - 6. Is an individual (including a youth with a disability) who requires additional assistance to complete an educational program, or to secure and hold employment. (WIA sec. 101 (13)
- d. A United States citizen or eligible non-citizen (WIA 188 (a)(5) and
- e. Compliant with Selective Service registration requirements for males born after December 31, 1959 per WIA (189)(h).

Program element providers may only be reimbursed for services provided to youth that meet the above criteria, AND who are enrolled in the WIA youth program by the framework service provider.

2. Program Design Framework

The WIA youth program in Durham County consists of the program design framework and the required 10 program elements. The combination of framework services and the program elements comprises the Youth Employed and Succeeding (YES) Framework. The YES framework component is an integral component of the local youth program and provides a central access point to both determine program eligibility and make appropriate referrals for youth in the program. In Program Year 2010 (July 1, 2010 – June 30, 2011), referrals to providers will come in the form of vouchers that can be “redeemed” by participants to access services at various program element providers. This solicitation does not request YES framework services; a separate organization will be providing these services as part of the YES Program in Durham County. Under this Request for Proposals, **GED provision, pre-GED services through tutoring and study skills instruction (these may be provided in an alternative secondary school setting), mentoring programs and leadership development components** are being sought. However, a description of the services provided by the framework entity are described, so that proposers have a better idea of how the system operates. Framework services include the following:

- a. The provision of an objective assessment of the academic levels, skill levels, and service needs of each participant, which shall include a review of how much the youth has in the way of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for non-traditional jobs), supportive service needs, and developmental needs, except that a new assessment of a participant is not required if the framework services provider determines it is appropriate to use a recent assessment of the participant conducted by another education or training program;
- b. The development of service strategies for each participant that shall identify an employment and/or educational goal (including, in appropriate circumstances, non-traditional employment), appropriate achievement objectives, and appropriate services for the participant taking into account the assessment conducted. **THIS INDIVIDUALIZED SERVICE STRATEGY WILL BE A KEY DETERMINANT OF WHAT VOUCHERS WILL BE PROVIDED TO THE PARTICIPANT FOR ACCESS TO PROGRAM ELEMENTS.**
- c. Provide preparation for postsecondary educational opportunities, in appropriate cases, strong linkages between academic and occupational learning, preparation for unsubsidized employment opportunities, in appropriate cases, and effective connections to intermediaries with strong links to the job market and local and regional employers.

3. Required Program Elements

Elements a,b,c and d are those being sought under this Request for Proposals. Elements e,f,g,h,i and j will be provided to youth by the City of Durham Office of Economic and Workforce Development or through the Framework Services Provider and are not being sought under this Request for Proposals. However, it is important that applicants recognize

the presence of these services and the expectation for collaboration with these services (the information in parentheses indicates where further information about these services can be obtained).

- a. **Tutoring, study skills training and instruction (including but not limited to pre-GED)**, leading to completion of secondary school, including dropout prevention strategies. (WIA Final Rules Section 664.410(a)(1)). Additional, special, or remedial assistance provided to a participant, often on an individual basis.
- b. **Alternative secondary school services/GED** (WIA Final Rules Section 664.410(a)(2)) Instruction leading to a high school diploma. Instruction may be provided outside of the traditional school setting, but programs must meet applicable state and local educational standards. Offerings may also provide instruction leading to the receipt of certification that an individual has completed a level of education attainment equivalent to completion of a high school diploma.
- c. **Leadership development opportunities** (WIA Final Rules Section 129(c)(2)(F);(664.420)
Community services and peer-centered activities encouraging responsibility, employability, and other positive social behaviors during the non-school hours, as appropriate, and **may** include:
 - Exposure to post-secondary educational opportunities
 - Community and service learning projects
 - Peer-centered activities, including peer mentoring and tutoring
 - Organizational and team work training, including team leadership training
 - Training in decision-making, including determining priorities
 - Citizenship training, including life skills training such as parenting, work behavior training, and budgeting of resources.

Positive Social Behaviors (WIA Final Rules Section 664.450) are outcomes of leadership opportunities, often referred to as soft skills, which are incorporated by many local programs as part of their menu of services. Positive social behaviors focus on areas that **may** include the following:

- Positive attitudinal development
- Openness to working with individuals from diverse racial and ethnic backgrounds
- Maintaining healthy lifestyles, including being alcohol and drug free
- Maintaining positive relationships with responsible adults and peers, and contributing to the well being of one's community, including voting
- Maintaining a commitment to learning and academic success
- Self-esteem building
- Avoiding delinquency
- Postponed and responsible parenting
- Positive job attitudes and work skills

- d. **Adult mentoring** for the period of participation and a subsequent period, for a total of not less than 12 months. (WIA Final Rules Section 664.410 (a)(8))
Pairing a youth with a caring adult in a one-to-one relationship, challenging the youth to do well, helping the youth make the connection between school and work, and providing first-hand exposure to the world of work. Typically, mentors become advocates for the youth, working in consultation with the youth's teacher(s), supervisor, counselor/caseworker and parent(s), as appropriate. Adult mentoring, if provided, is for duration of at least twelve months that may occur both during and after program participation.
- e. **Summer employment opportunities**
- f. **Paid and unpaid work experiences** (WIA Final Rules Section 664.410 (a)(4))
- g. **Occupational skills training.** (WIA Final Rules Section 664.410 (a)(5))
- h. **Supportive services** (WIA Final Rules Section 664.410 (a)(7); 664.440; 101(46))
Services such as transportation, child care, dependent care, housing and needs-related
- i. **Comprehensive guidance and counseling** (WIA Final Rules Section 664.410 (a)(10))
Provided to assist youth in achieving success in school and at the workplace. Assistance may include drug and alcohol abuse counseling, as well as referrals to counseling. Services may be provided on an individual or group basis, using a variety of processes and techniques. Services may require counseling beyond the scope of most WIA staff training and should be provided through referral to appropriate health agencies.
- j. **Follow-up** (WIA Final Rules Section 664.410 (a)(9); 664.450)

4. Program Objectives

The Youth Council is seeking program element providers that demonstrate consistency with the requirements of WIA, and the goals of Durham County's Workforce Development System. An effective youth program will be recognized by the provision of the following services:

- a. Most At-Risk: Program focus on serving the most at-risk and neediest youth.
- b. Safe, Supportive, and Accessible: Service will be easily accessible within the local community and provide a safe, supportive atmosphere that offers youth frequent opportunities for positive interactions with staff, peers, and other adults.
- c. Outreach and Family Inclusion: Outreach activities will be conducted in local communities throughout Durham County so they are easily accessible to young people. These activities are intended to inform and draw youth into the program as well as inform and engage family, and significant others, in program activities as appropriate. The community (including but not limited to families and employers) will be informed of and invested in program activities and must be seen as important partners in the youth's development and success.
- d. Youth Engagement: Programs must be developed so that young people can make informed choices when given proper information and guidance. Programs will actively engage youth in assessment, goal setting, and development of individual service strategies. Effective programs will also be recognizable by the extent to which they provide opportunities for youth to engage in the design, planning, and implementation of projects.
- e. Collaboration: Programs will provide opportunities for youth to access a comprehensive array of services and resources. Recognizing the limitations of WIA resources, programs will develop appropriate linkages and formalize collaborative relationships with other entities possessing expertise and resources (monetary and non-monetary) relevant to the needs of the target population. Entities awarded funding will commit to active involvement in the expansion of the Durham JobLink Career system. This commitment will become formalized during contract negotiations and signing of a contract.
- f. Youth Development: Programs should take a holistic, youth development approach to the provision of services that builds on youth's assets and their potential.
- g. Accountability: Programs will be fully accountable in meeting contractual obligations, and providing cost effective services that have a positive impact on the lives of youth participants and result in a social return on investment for the community.

Section II. Requested Program Services

A. Requested Program

The purpose of this Request for Proposal (RFP) is to fund qualified organizations that provide innovative and creative programs that provide one or more of the identified program elements to both in-school (ISY) and/or out-of-school (OSY) WIA eligible youth, ages (16-21), in Durham County.

The Durham Workforce Development Board Youth Council has identified a need to procure Alternative Secondary School/GED Instruction, Adult Mentoring, Leadership Development, Tutoring, Study Skills, and Instruction (which can be made available through alternative secondary school) services for WIA eligible youth.

B. Available Funding

The exact amount of funding is undetermined at this time. We are not looking for full-program budgets, however, we are seeking per participant costs for the following elements (not to exceed the amounts of); \$2,000 for Alternative Secondary Education/GED, \$1,750 Leadership Development, \$1,500 for Adult Mentoring, and \$1,750 for Tutoring and Study Skills Instruction/Pre-GED. The maximum amounts that providers will be reimbursed will be determined based on the following:

- the amount of funding allocated to the Durham Workforce Development Board by federal, state, local and private sources;
- the number of youth that are projected to be served in each program element during the year based upon their individual service strategies;
- unit prices negotiated with the contractor;
- the capacity of an organization to serve the target population.

The DWDB therefore reserves the right to adjust award amounts based on the final allocation figures. **The DWDB may increase or decrease funding at any time based on funding availability and on contractor performance.**

Bidders that provide at least a 30% cash and/or in-kind match of proposed program expenses to leverage WIA funds will be awarded additional points during the review process.

Payment methods for reimbursement of program expenses will be negotiated prior to contract execution. Reimbursement will be based upon a unit price that includes operational costs related to serving the participants. Categories of costs that will be allowable as components of the unit price include:

- direct staff salary costs for the time that they spend working with WIA-enrolled youth in the program that receives funds from the City;
- fringe benefits including worker's compensation, FICA and social security costs related to direct staff salaries;

- a prorated percentage of rent directly related to the program that serves WIA-enrolled youth and receives funds from the City;
- a prorated percentage of utilities related directly to the program that serves WIA – enrolled youth;
- a prorated administrative cost based upon the percentage of the organizational resources devoted to the oversight of the program.

It is anticipated that reimbursement will be based on the participation of youth in the program and the ability of the service provider to meet specific performance goals. Monthly invoices will be submitted to the Durham Local Area office for reimbursement and only those costs related to serving WIA-eligible youth will be reimbursed through this grant.

C. Target Population

The Durham Workforce Development Board (DWDB) is seeking programs to serve eligible youth between the ages of 16 and 21 who are most in need and can most benefit from WIA services.

Note: Eligibility for the WIA youth program under the current legislation is 14 to 21 years of age; however, because of new policy guidance from the U.S. Department of Labor Employment and Training Administration and anticipated changes to the legislation after reauthorization, the DWDB's priority of service is for eligible youth ages 16-21 years old that are foster children or aging out of foster care, ex-offenders, and children of ex-offenders.

The Youth Council is seeking to serve the neediest youth as part of the WIA youth program. Based on the White House Task Force Report on Disadvantaged Youth, priority is being placed on serving the following:

- out-of-school youth,
- high school drop-outs,
- runaway and homeless youth,
- youth in foster care (particularly those aging out of foster care)
- court involved youth,
- children of incarcerated parents, and
- youth with disabilities.

Services are requested for both in-school and out-of-school youth. Currently, over 90% of the youth enrolled in the WIA youth program are out-of-school. The DWDB is committed to meeting the needs of youth seeking WIA services and therefore reserves the right to adjust overall funding levels for program elements based on the needs of youth accessing services.

D. Customer Flow

Youth served in the YES Program in Durham County will access program element services through to the framework service provider, this organization will be responsible for determining youth eligibility, conducting an objective assessment of each youth in accordance with the requirements of WIA section 129 (c)(1)(A), which includes a review of the academic and occupational skill levels, as well as the service needs of each youth.

Once a youth has been determined eligible to receive WIA services and an Individual Service Strategy has been devised, the YES framework provider will refer the youth to the appropriate program service provider with a voucher to receive services. These vouchers will serve as the basis for contractors being reimbursed for services. The voucher will not exceed the contractual unit price that has been negotiated by the provider with the DWDB/City of Durham. The voucher for a particular service provider will be based on the needs of the youth and the goal the youth establishes during the assessment and individual service strategy process. All youth will be referred to program service providers based on the most urgent service need of the youth.

Once a youth is referred to a youth program service provider, the program service provider will be responsible for providing progress updates and continuous contact with Framework provider staff while the youth is engaged in any activity, funded or unfunded, with the organization.

Program service providers will also be responsible for collecting information from the Framework service provider related to the basic skills level of the youth, and other barriers to employment or educational success. Basic skills levels will be evaluated through the use of standardized testing instrument that crosswalks to an Adult Basic Education Level (ABEL), prior to receiving program services. All out-of-school youth must receive the Test of Adult Basic Education (TABE) version 7, 8, 9, or 10. The standardized testing instrument will be used to pre-test youth in math and reading and will facilitate in the development of the youth's individual service strategy (ISS).

E. Performance Measures

The U.S. Department of Labor Employment and Training Administration (USDOL/ETA) have implemented a set of 3 common measures.

At a minimum, service providers will be evaluated on their success in assisting youth in achieving outcomes and must describe specific strategies that will be used to ensure the contractor assists the Durham Workforce Development Board in meeting established performance measures.

Note: Contractual performance measures will be negotiated with providers and adjusted as necessary to meet Durham County performance goals, which are in turn negotiated with the North Carolina Department of Commerce Division of Workforce Development and U.S. Department of Labor Workforce Investment Act (WIA) legislation. The goals for Program Year 2010 have not been negotiated yet.

Common Measures (14-21 years of age)

1. Placement in Employment or Education

Of those who are not in post-secondary education or employment at the date of participation:

Number of youth who are in employment or post-secondary education or advanced training/occupational skills training in the first quarter after the exit quarter divided by the number of youth who exit.

2. Attainment of a Degree or Certificate

Of those enrolled in education (at the date of participation or at any point during the program):

Number of youth who attain a diploma, GED, or certificate by the end of the third quarter after exit.

3. Literacy/Numeracy Gain

(Out-of-school youth that are basic skills deficient)

Of those youth who increase one or more educational functioning levels divided by the number of youth who have completed a year in the program (i.e., one year from the date of first youth program service) plus the number of youth who exit before completing a year in the youth program.

Section III. Scope of the RFP

A. Responsibilities of Proposing Agency

1. Contracting with the DWDB and complying with all terms and conditions of the agreement for the delivery of services.
2. Working cooperatively with the DWDB and the DWDB Youth Council in the expansion of Durham County's youth workforce development system.
3. Working cooperatively with other funded and non-funded service providers.
4. Collaborating with organizations identified in the proposal and those mandated by the DWDB and/or the State of North Carolina, but not limited to:
 - i. **JobLink Partners**
 - ii. Local education agencies
 - iii. Public housing agencies
 - iv. Juvenile Justice;
 - v. Human Service agencies
 - vi. Other local youth programs
5. Coordinating with partners in program design, implementation, capacity building/staff development and ensuring the program meets performance outcomes.
6. Ensuring that services provided are readily accessible to individuals eligible for participation in the program including those with barriers to employment such as: individuals with disabilities; offenders, school dropouts, individuals deficient in basic skills, those lacking occupational skills, youth with limited English proficiency, parenting, pregnant, foster children, runaway or homeless youth, and youth identified as "at risk" by the local education agency.
7. Ensuring the program is fully staffed with qualified individuals.
8. Provide internal monitoring and oversight of all program activities.
9. Administer all funds paid to the program.
10. Providing reports to partner programs and DWDB staff as required.

B. Allowable Use of Funds

Funds expended from awards issued from this RFP must be for activities and services that are reasonable, necessary, and allowable. The funds are governed by WIA, local, state, and federal laws; State and federal directives; Federal Office of Management and Budget (OMB) Circulars; and associated regulations. Selected service providers must be knowledgeable of the allowable costs for this funding stream in order to avoid the potential for disallowed

costs. No funds under this grant can be used to purchase real property or to construct buildings.

C. Selection of Service Providers:

1. Funding determinations will be made through a competitive procurement process in compliance with federal, state, and local procurement guidelines. Under no circumstances will an award be made to a contractor that has been debarred or suspended, or is otherwise excluded from, or ineligible for, participation in Federal assistance programs. This is inclusive of the organization and its principal staff.
2. The primary consideration in selecting agencies or organizations to deliver services will be effectiveness of the applicant(s) in delivering the services being requested or comparable services based on demonstrated performance over the past year. This funding is not intended to fund “start-up” initiatives or seed programs.
3. Funds provided through the Durham Workforce Development Board YES Program are not intended for the duplication of services. All proposals that are submitted by the deadline and contain all of the requested information (including SBDE information) will receive equal consideration for funding and determinations will be based upon scores from a volunteer panel of reviewers that consists of Durham Workforce Development Board Youth Council members, as well as members from the full Board. Their scores will be determined by reviews of the proposals, as well as interviews with the applicant organizations. Average scores of under 70 will be ineligible for funding. All proposals with average scores of over 70 will be rank ordered by score; however, in certain cases, the Committee may use qualitative factors to determine ranking and will provide justification for ranking a proposal with a lower score ahead of another that scored lower.
4. Recognizing the limitations of WIA resources, applicants are strongly encouraged to form collaborative relationships with other entities that possess expertise and non-WIA resources relevant to the needs of youth. Such collaboration will maximize available resources and provide a comprehensive array of services responsive to the unique needs of the target population.
5. Funded service providers shall be subject to all applicable federal, state, and DWDB policies and regulations.

D. Contracting

DWDB staff will contact the awardees to negotiate contract details. In some cases, the DWDB may request that the contract incorporate changes in the original proposal. Additionally, the DWDB contract offer may contain additional terms or terms different from those set forth in this RFP.

As a result of the negotiation process, the DWDB reserves the right to:

- Fund all or portions of a proposal and/or require that awardees collaborate with another for the provision of specific services, either prior to execution or an agreement or at any point during the life of the agreement.

Section IV. Proposal Format

A. General Guidelines

Proposers must follow the instructions outlined in this RFP package and submit all appropriate application forms. Proposals that do not conform to this format will be rejected by the DWDB. Each applicant is limited to one proposal for each requested program. The applicant certifies, by submission of a proposal that all specifications listed in the RFP will be met and further understands that these specifications may become part of a contract for provision of services, should a contract be awarded.

The DWDB will only accept proposals for the program elements requested. Proposals submitted for services/training not requested in the RFP will be deemed non-responsive.

Proposal Format

All applications must be typed, single-spaced, single-sided on 8.5" X 11" paper with 12-point text font and one-inch margins. Pages must be number sequentially at the bottom center of the page.

B. Proposal Signature Form

The proposal signature form must be completed and signed by an agency officer that is authorized to bind the agency to all commitments made in the proposal.

C. Proposal Narrative Instructions

This element of the proposal should describe the proposed program in detail sufficient to demonstrate an understanding of the required program design, the work to be performed, the needs of the participants, and the desired results.

Executive Summary: Summary of the proposed program detailing planned outcomes, and how these outcomes will help the Durham Workforce Development Board meet its negotiated performance goals. This section should begin with a brief mission statement for the organization, and how said mission relates to the services being proposed.

1. **Section one should be no longer than 1 page.**
2. **Work Plan:** Describe the technical plan in narrative form for accomplishing the work proposed, indicating which components are already in place and a time line for implementation of planned components.

At a minimum, include the following components:

- A thorough description of the program to include all services provided and how these services relate to the program element definition in Section I of this RFP.
- A description of existing or a plan for strategic collaboration among multiple service providers, including community involvement (memoranda of understanding, contracts or agreements of existing collaborations with service

providers or letters of support from collaborating organizations can be made as attachments to this bid. Attachments are not included in the page limit.)

- A description of all staff positions must be included in Attachment E which should include expected experience and training requirements. Also include a description of how staff will be selected to include background checks to be conducted.
- Include a brief summary of the hours of operation for all services provided as part of your proposed program.

Section Two should be no longer than five pages (not including attachments).

3. **Agency Information:** Provide a narrative description of your agency to include when, how and why the organization was started; its purpose, goals and philosophy, prior and current relevant activities, accomplishments, size and characteristics of clients served, linkages and/or coordination with other agencies and services in the community. This section should form the basis for determining whether or not your agency is qualified and credible to deliver the program as proposed. Information should include current or past experience in providing WIA program services.

Briefly describe the facility(ies) where this system is to be principally operated; include size, location, accessibility (both accessibility by public transportation and accessibility for those that are physically challenged), and any special features relevant to the system. If specialized equipment is proposed, please include description and quantity.

Section Three should be no longer than two pages per organization.

4. **Performance Outcome:** Discuss the measurable results and benefits anticipated and how they will be measured. Describe the process, expected outcomes, and how your program's performance will be evaluated and monitored.

Include a description of the methods to be employed in achieving the stated goals and objectives and why these methods will work.

This section should also include the number of hours of program participation are necessary for an individual to be successful in accomplishing stated goals.

Section Four should be no longer than two pages (not including attachments).

D. Proposal Budget

The information being sought here is a cost per participant NOT a total program budget. The amount of WIA-enrolled participants referred to any one program will be based upon the service needs that are identified in the Individual Service Strategy for each participant. Since the number of referrals to any one program is undetermined at this time, we are seeking per participant costs for each program, which will be one (but not the only) evaluative factor in judging the merits of each proposal.

1. Budget Form

Complete the attached budget form (Attachment F) and assign costs to the proper category, filling in each column totaling the costs and entering them on the bottom line. Transfer all totals to the Program Element Summary Table (page 33). **All budget forms must be attached for the proposal to be considered complete.** If the proposer does not have costs attributable to a particular budget sheet, the budget sheet should be left blank. Instructions on how to complete this form are in Attachment F

2. Budget Narrative (1-Page)

This section will be used to provide an explanation of the information contained in the budget form. This section must include an explanation of all costs justifying the requested funds as well as a summary of in-kind services in the program to include how in-kind service will be provided, by whom, and an estimate of the value.

Section V. Evaluation Criteria and Rating System

All proposals submitted in accordance with this RFP will be rated based on the criteria and point values outlined in Appendix A Evaluation Criteria. Proposals will be reviewed by the Durham Workforce Development Board Review Committee.

The duty of the Evaluation Team will be to rate the overall acceptability of each proposal, which may include site visits and/or oral presentations by the proposers where appropriate. As part of the pre-award survey and evaluation process, the Durham Youth Council may request performance data from other jurisdictions and funding sources regarding the proposer's ability to meet planned goals and funding requirements.

The Evaluation Team will review proposals, prepare evaluation summaries and forward a recommendation along with the evaluation summary sheets of all proposals to the Durham Workforce Development Board Youth Council. The Evaluation Team will make a recommendation based on what is in the best interest of the Youth Services program in terms of the following guiding principles:

- the ability of the program to help the Durham Workforce Development Board meet performance goals;
- reasonableness and affordability of the unit price;
- how well the program will collaborate with other organizations in the community; and
- organizational capacity and experience in providing programs for hard to serve youth

The Youth Council will review the recommendation of the Review Panel and based upon information from this group, formulate its own recommendation to the Durham Workforce Development Board Executive Committee. The Executive Committee will either endorse, modify or reject the Youth Council recommendation and then forward its own recommendation to the full Durham Workforce Development Board.

Failure of the parties to execute a contract within the proposed Planning Timeline may result in contract award and negotiations with the runner-up proposers.

Following the selection of proposals, applicants will be notified of the DWDB's funding decisions.

Section VI. Terms and Conditions

Disclaimer

In the event policy, procedure, program design, Law, or Regulatory changes occur, bidding organizations may be requested to modify program design or the delivery of services. Should a request for a change in program design or services occur, staff of the Durham Local Area will be available to assist bidding organizations or service providers with the interpretation and suggestions for changes in redesign?

Discretion of the DWDB

The DWDB reserves the right to reject any and all proposals. Notwithstanding anything to the contrary in this document or in any addendums to this document, unless the provision refers specifically to this provision. The DWDB reserves the right to negotiate changes of any nature with any firm proposing to do the work with respect to any term, condition, or provision in this document and/or in any proposals, whether or not something is stated to be mandatory and whether or not it is said that a proposal will be rejected if certain information or documentation is not submitted with it.

ADA Compliance

Facilities providing services must be accessible to persons with disabilities, and programs selected for funding must operate in full compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, as well as other applicable Federal and State Laws.

Signature

The proposal shall be signed by an official authorized to bind the agency and shall contain a statement to the effect that the proposal is a firm bid until withdrawn in writing by the submitting organization. The proposal shall also provide the name, title, address, e-mail, and telephone number of the individual(s) with authority to negotiate during the period of contract negotiations.

Fraud

Any evidence of fraud in the proposal or in the performance of the ensuing contract will be turned over to the proper authorities for enforcement.

Renewal

Although the initial award will be for a 12-month period, bidders may design a multi-year program with longer-term interventions that provide for continuous performance improvement. Based on successful performance, timeliness of start-up and quality of service, *Durham* WDB will have the option, depending on future funding, to negotiate continued funding for an additional one year.

Equal Business Opportunity Program

It is the policy of the City to provide equal opportunities for City contracting for small firms owned by socially and economically disadvantaged persons doing business in the City's Contracting Marketplace. It is further the policy of the City to prohibit discrimination against any firm in pursuit of these opportunities, to conduct its contracting activities so as to prevent such

discrimination, to correct present effects of past discrimination and to resolve complaints of discrimination. This policy applies to all professional services categories.

While there are no SDBE participation goals for this project, in accordance with the Ordinance, all contractors are required to provide information requested in the “SDBE Professional Services Forms” package, which has been included with this Request for Proposals. Proposals that do not contain the appropriate, completed “Professional Services Forms” will be deemed non-responsive and ineligible for consideration. The “Declaration of Performance,” “Participation Documentation,” “Managerial Profile,” “Equal Opportunity Statement” and the “Employee Breakdown” documents are required of all contractors. In lieu of “Employee Breakdown”, contractors may submit a copy of the current EEO-1 form (corporate basis). Other forms in the package should be used as needed.

The Department of Equal Opportunity/Equity Assurance is responsible for the Equal Business Opportunity Program. All questions about “SDBE Professional Services Forms” should be referred to Angela Henderson or other department staff at (919) 560-4180.

Non-discrimination and terminations

No customer will be discriminated against based on race, color, religion, sex, national origin, age handicap, political affiliation, or belief, or citizenship. No enrollee may be terminated without prior written authorization.

Presentation and Negotiations

The Durham Youth Council reserves the right to request additional data in support of the proposal or ask the proposer to make a presentation detailing delivery of program services. The Durham Youth Council may require that successful proposers participate in negotiations and submit any budget, technical, or other revisions of the proposal prior to executing a contract.

Liability Insurance

Organizations must provide proof of general liability insurance by the time of grant award naming the City of Durham as an “Additional Insured”.

Licensing

Organizations must provide proof of non-profit status or an appropriate business license prior to being awarded a contract.

All prospective applicants except governmental entities) are required to have current business license on file with the City of Durham Finance Department.

Monitoring Access

In accordance with Section 183 and 184 of the WIA, bidders/proposed contractors agree to cooperate with any monitoring, inspection, audit, or investigation of activities related to WIA contracts. The North Carolina Department of Commerce – Division of Workforce Development the U.S. Department of Labor, the Durham Workforce Development Board, or their designated representatives may conduct these activities. This cooperation includes access to the premises for the purpose of interviewing employees or participants and permitting the examination of, and/or photocopying of books, records, files, or other documents related to the contractual agreement and activities around the contract.

Attachments

Attachment A

Checklist of Required Documentation

Proposal

- ☐ Signed Proposal Cover Sheet (*Attachment B*)
- ☐ Executive Summary (1 page)
- ☐ Work Plan (no more than 5 pages)
- ☐ Agency Information (no more than 2 pages)
- ☐ Performance Information (no more than 2 pages)
- ☐ Signed Budget Form (*Attachment F*)

Attachments

- ☐ Budget Narrative
- ☐ Job Descriptions (*Attachment E*)
- ☐ Signed Assurances Form (*Attachment C*)
- ☐ Signed Non-Collusion Statement (*Attachment D*)
- ☐ Small Disadvantaged Business Enterprise Forms (*see Appendix C*)

Attachment B

Proposal Cover Sheet

WIA YOUTH PROGRAM
Durham Workforce Development Board

Agency Name:

Address:

City: State: Zip Code:

Mailing Address:
(if different from above)

City: State: Zip Code:

Contact Person(s):

Telephone Number(s):

Fax Number(s): E-Mail:

Cost Per Participant:

Total Funds Requested:

Non WIA Resources: Cash: In-Kind:

The undersigned has the authority to submit this proposal on behalf of the bidding organization, in response to this Request for Proposal.

The proposer is not submitting and shall not submit any Trade Secrets to the DWDB in connection with this proposal or the contract, if a contract is awarded to the proposer. The proposer acknowledges that the DWDB will rely on the preceding sentence.

Signature

Title

Date

Attachment C

Assurances

I recognize that I must give assurances for each item below. If I cannot, this proposal will be automatically rejected. The assurances are:

1. I am authorized by my Board of Directors, Trustees, or legally qualified officer, or as the owner of this agency or business to submit this proposal.
2. We are not currently on any Federal, State of North Carolina, or local Debarment List.
3. We will provide records to show that we are fiscally solvent, if needed.
4. We have, or will have, all of the fiscal control and accounting procedures needed to ensure that WIA funds will be used as required by law and contract.
5. We have additional funding sources and will not be dependent on WIA funds alone.
6. We will meet all applicable Federal, State, and local compliance requirements. These include, but are not limited to:
 - a. Records accurately reflect actual performance.
 - b. Maintaining record confidentiality, as required.
 - c. Reporting financial, participant, and performance data, as required.
 - d. Complying with Federal State non-discrimination provisions.
 - e. Meeting all applicable labor laws, including Child Labor Law standards.

We will not:

- a. Use WIA funds for activities that would interfere with or replace regular academic requirements for eligible youth who are not drop-outs.

I hereby assure that all of the above are true.

Signature

Title

Date

Attachment D

Organization's Name
Non-collusion statement

The City of Durham prohibits collusion, which is defined as a secret agreement for a deceitful or fraudulent purpose.

I, _____ affirm that I have not engaged in collusion with any City employee(s), other person, corporations or firms relating to this bid, proposals or quotations. I understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.

Signature: _____

Title: _____

Date: _____

Attachment E

Job Descriptions

JOB DESCRIPTION

If there is a person(s) in your organization who is slated to provide the services proposed here, please submit current resume for that individual, otherwise complete the information below for all anticipated WIA funded staff positions.

Job Title:

Minimum Qualifications:

Total Number of Hours Worked:

Full Time ☐

Part Time ☐

Hourly/Monthly Rate of Pay:

% Funded through WIA:

Name of Immediate Supervisor:

Does the staff person(s) assigned to this position work in other sections/departments with agency
Yes ☐ No ☐ If yes, briefly describes other duties:

Specific Job Duties		Hrs./Wk.
A	Training Related and Supportive Services Duties	%
1.		
2.		
3.		
B.	Administrative Duties	%
1.		
2.		
3.		

Attachment F

Youth Program RFP Budget/Budget Form Instructions

Budget Form

Staff salaries: List the title of all staff positions funded by grant.

Fringe Benefits: List the fringe benefits provided to the staff.

Rent/Utilities: Cost of space/utilities for the program.

Utilities – prorated (based upon a prorated share of the WIA program in the utility bills)

Administration – overhead and personnel costs associated with oversight and management of the program

Equipment/Supplies: Cost of equipment/supplies for the program.

Example Alternative Secondary Education/GED

	Program Cost (per month)	Participant Cost *(based on 10 participants)
Staff Salaries	\$1000	\$100
Fringe Benefits	\$50	\$5
Rent/Utilities	\$1000	\$100
Equipment/Supplies	\$50	\$5
Communication	\$20	\$2
Subtotal Cost	\$2,120	\$212.00
12 Month Total	\$25,440	\$2,544

Tutoring/ Pre GED

	Program Cost (per month)	Participant Cost *(based on 10 participants)
Staff Salaries		
Fringe Benefits		
Rent/Utilities		
Equipment/Supplies		
Communication		
Subtotal Cost		
12 Month Total		

Alternative Secondary Education/GED

	Program Cost (per month)	Participant Cost *(based on 10 participants)
Staff Salaries		
Fringe Benefits		
Rent/Utilities		
Equipment/Supplies		
Communication		
Subtotal Cost		
12 Month Total		

Adult Mentoring

	Program Cost (per month)	Participant Cost *(based on 10 participants)
Staff Salaries		
Fringe Benefits		
Rent/Utilities		
Equipment/Supplies		
Communication		
Subtotal Cost		
12 Month Total		

Leadership Development

	Program Cost (per month)	Participant Cost *(based on 10 participants)
Staff Salaries		
Fringe Benefits		
Rent/Utilities		
Equipment Supplies		
Communication		
Subtotal Cost		
12 Month Total		

Program Element	Total
Alternative Education/ GED	
Leadership Development	
Adult Mentoring	
Tutoring/Pre-GED	
Program Total	

In-Kind Funds		
Description	Source	Amount
Total Amount of In-Kind Funds		\$

Contractor's Signature _____

* Does not guarantee ten participants will be referred.

Appendix

Appendix A. Evaluation Criteria

The Evaluation Team will use the following guiding principals to assess submitted proposals:

- the ability of the program to help the Durham Workforce Development Board meet performance goals;
- reasonableness and affordability of the unit price;
- how well the program will collaborate with other organizations in the community; and
- organizational capacity and experience in providing programs for hard to serve youth

Proposals will be evaluated using the assigned point totals for the following criteria:

1. Program Design – 25 Points Total

- The proposed program design is consistent with one or more of the program elements required by the WIA.
 - Does the proposed program provide an effective service to the target population? (15 points)
 - Is the proposed program is in line with the performance outcomes established by the Durham Youth Council and the WIA? (5 points)
 - Does the proposer demonstrate an understanding of the target population? (5 points)

2. Leveraging Funds/Partnership Collaboration/Community Involvement – 25 Points Total

- Does the proposed program build on existing services being provided by the agency? (15 points)
- Does the proposed program link with other programs within the community to provide leverage funds and create a collaborative partnership? (10 points)

3. Financial Management/Program's Cost Effectiveness (Attachment F/Narrative) – 25 Points

- The cost per youth of the proposed program is evaluated to determine if it is fair and reasonable (20 points).
- Is the budget presented in sufficient detail to evaluate the reasonableness of the program cost? (5 points)

4. Agency Qualifications/Qualifications of Personnel (Attachment E) – 25 Points

- Is the staff involved in the delivery of service competent and professional to provide effective services? Close scrutiny will be applied to the qualifications of the staff that will be providing the assessment and case management services to the youth, measured by experience and education. (20 points)
- Is staffing appropriate to meet program needs? (5 points)

5. Bonus

- Does the proposal provide for 30% in-kind match of requested funds? (this will be prorated up to a full 5 points depending upon the amount of match provided)
- Does the proposed program address more than one of the required program elements as defined in the proposal? (one point for each extra element with a max of 3 points)

Appendix B-Definitions

Basic skills deficient: A youth who performs at or below the 8.9 grade level on a standardized test. For those youth enrolled in secondary education who are above 8.9, performing one or more grade levels below expected proficiency for the current age and grade level may be considered basic skills deficient.

Basic skills goal: An improvement of at least one grade level as documented by standardized test scores.

Carry-over: Youth who were enrolled in a prior program year and not exited before the start of the next program year.

Drop-out: A youth who has not received and is no longer attending any school in pursuit of, a secondary school diploma, certificate of achievement, graduation certificate, or GED. A youth attending an alternative school is not a dropout.

Exit: Determined as follows:

- A participant who has a date of case closure, completion or known exit from WIA-funded or non-WIA funded partner service.
- A participant who does not receive any WIA Title I-B funded or non-WIA partner funded services for 90 days and is not scheduled for future services except follow-up services.

Exit date: The last date on which WIA Title I-B funded or partner funded services were received by the individual excluding follow-up services.

Exit quarter: Quarter in which the last date of service, except follow-up services, take place.

Foster child: A youth on behalf of whom State or local government payments are made or becomes an individual for whom the local Department of Social Services certifies foster child status where no payments are made.

Framework Service Provider: Service provider who provides elements e – j (see page 10 – 11) related to the overall operation of the Durham Youth Council WIA Youth Program.

In-School youth: A youth who is currently attending an educational program either full or part-time.

Out-of-School youth: Any youth 14-21 years of age who is not enrolled in school and has not earned a high school diploma or GED, or who has a high school diploma or GED but is basic skill deficient, unemployed, or underemployed. Youth enrolled in alternative education do not count as out-of-school youth under the WIA.

Offender: A youth who is or has been subject to any stage of the criminal justice process, and for whom services under this Act may be beneficial; or a youth who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

Older youth: Individual 19-21 years of age.

Pregnant or parenting: A youth who is pregnant or who is providing custodial care for one or more dependent children under the age of 18.

Youth Service Provider: An organization or agency funded separately by the DWDB and Durham Youth Council under WIA to provide services related to the 10 program elements.

Younger youth: Individual 14 to 18 years of age.

Framework Services consist of the following:

Outreach and Recruitment: Identifying potential WIA eligible youth, working with parents and guardians to secure necessary documents and communicating with schools and community organizations regarding recruitment efforts for targeted populations.

Eligibility Determination: Include the completion of a WIA Youth Services Application, verification of the information provided for the application, and determining if the individual who has applied meets the eligibility criteria established by the WIA.

Intake: A process which includes activities such as registration, collection of information to support verification of eligibility and data validation for WIA services. It includes pre-screening potential customers, making referrals to other service agencies and self-help services if appropriate.

Case Management: A reporting and tracking strategy to determine whether goals in the ISS are being met by ensuring that youth are actively engaged in receiving the ten program elements from eligible service providers. This approach includes the establishment and maintenance of a hard copy file on each youth, recording how and by whom services are rendered, in the Workforce Plus MIS, and ensuring that participants received follow-up services after exiting the program.

Objective Assessment: (including initial assessment and pre-testing through the development of the ISS) The process that identifies service needs, academic levels, goals, interests, skill levels, abilities, aptitudes, identifies supportive service needs and measure barriers and strengths. The result of assessments and interviews with the youth and the youth's parent(s) is the Individual Service Strategy (ISS) or plan that prescribes appropriate services for the participant.

Workforce Plus: The State of North Carolina Management Information System (MIS) used to determine eligibility and provide case management services for customers enrolled in WIA Title I-B programs.

Appendix C – Small Disadvantaged Business Enterprise Professional Services Form



CITY OF DURHAM

SMALL DISADVANTAGED BUSINESS ENTERPRISE

PROFESSIONAL SERVICES FORM



Equal Opportunity/ Equity Assurance Department

Mailing Address:
101 City Hall Plaza
Durham, North Carolina 27701

Street Address:
302 E. Pettigrew Street, C-180
Durham, North Carolina 27701

Phone: (919) 560-4180

Facsimile: (919) 560-4513

Durham Workforce Development Board Youth Council

WIA Program Element Youth RFP

PY 2010

CITY OF DURHAM EQUAL BUSINESS OPPORTUNITY PROGRAM

Policy Statement

It is the policy of the City to provide equal opportunities for City contracting to small firms owned by socially and economically disadvantaged persons doing business in the City's Contracting Marketplace. It is further the policy of the City to prohibit discrimination against any firm in pursuit of these opportunities, to conduct its contracting activities so as to prevent such discrimination, to correct the present effects of past discrimination and to resolve complaints of discrimination.

Goals

To increase the dollar value of all City contracts for goods and services awarded to small disadvantaged business enterprises, it is a desire of the City that the contractor will voluntarily undertake efforts to increase the participation of socially and economically disadvantaged individuals at higher skill and responsibility levels within non-minority firms engaged in contracting and subcontracting with the City.

The Equal Opportunity/Equity Assurance Director shall establish project specific goals for each project or contract based upon the availability of small disadvantaged business enterprises (SDBE's) within the defined scope of work, delineated into percentages of the total value of the work.

Equal Business Opportunity Ordinance SDBE Participation Documentation

If applicable information is not submitted with your proposal, your proposal will be deemed non-responsive.

Declaration of Performance must be completed and submitted with your proposal.

SDBE Participation Documentation must be used to document participation of Small Disadvantaged Business Enterprise (SDBE) on Professional Services projects. All SDBEs must be certified by the City of Durham's Equal Opportunity/Equity Assurance Department prior to submission date. If a business listed has not been certified, the amount of participation will be reduced from the total utilization.

Managerial Profile must be used to list the managerial persons in your workforce who will be participating in this project.

Equal Employment Opportunity Statement for your company must be completed and submitted with your proposal.

Employee Breakdown must be completed and submitted for the location providing the service/commodity. If the parent company will be involved in providing the service/commodity on the City contract, a consolidated employment breakdown must be submitted.

Letter of Intent to Perform as a Sub-consultant/Subcontractor must be completed for SDBEs proposed to perform on a contract. This form must be submitted with the proposal.

Post Proposal Submission SDBE Deviation

Post proposal submission SDBE deviation participation documentation must be used to report and deviation from SDBE participation either prior to or subsequent to startup of the project. The Equal Opportunity/Equity Assurance Department must be notified if the proposed sub-consultant/subcontractor is unable to perform and for what reasons. Substitutions of sub-consultants/subcontractor, both prior to and after awarding of a contract, are subject to City approval.

SDBE Goals Not Met/Documentation of Good Faith Efforts

It is the responsibility of consultants/contractors to make good faith efforts. Good Faith Efforts means the sum total of efforts by a particular business to provide equitable participation of socially and economically disadvantaged employees and sub-consultants/subcontractors.

Whenever contract alternatives, amendments or extra work orders are made individually or in the aggregate, which increase the total value of the original contract, the consultant must make a good faith effort to increase SDBE participation such that the amounts subcontracted are consistent with the established goals.

SELECTION OF CONSULTANTS/CONTRACTORS FOR ARCHITECTURAL/ENGINEERING AND OTHER PROFESSIONAL SERVICES

Goal

The purpose is to provide Small Disadvantaged Businesses equal opportunities for participation on City of Durham contracts.

Definition of the Scope of the Selection Policy

The Equal Opportunity/Equity Assurance Director shall establish SDBE participation goals for each contract to be awarded by the City. Project specific goals for each project or contract will be based upon the availability of small disadvantaged business enterprises (SDBE's) within the defined scope of work, delineated into percentages of the total value of the work.

Small Disadvantaged Business Proposal Requirements

The prime consultant/contractor shall submit a proposal in accordance with the City of Durham's Request for Proposal. In addition, the prime consultant/contractor must submit all required Professional Services SDBE Forms.

Selection Committee for Professional Services

A selection committee shall be established to be composed of the following: City Manager or a designated representative of this office; Director of Finance or a designated representative of this office; department head responsible for the project; City Engineer if engineering services are involved; the Equal Opportunity/Equity Assurance Director and Purchasing Manager. Other representatives shall be called upon as needed based on their areas of expertise.

The committee shall screen the proposals based on the following criteria:

1. Firms; interest in the project;
2. Current work in progress by firm;
3. Past experience with similar projects;
4. General proposal for carrying out the required work;
5. Designation of key personnel who will handle the project, with resume for each;
6. Proposed associate consultants/contractor, SDBE subconsultants;
7. Indication of capability for handling project;
8. Familiarity with the project;
9. Fees that have been charged for recent comparable projects;
10. References;
11. SDBE Participation; and
12. Documentation of Good Faith efforts.

After ranking the firms presenting proposals based on the above criteria, interviews will be conducted by the selection committee with the top ranked firms (3-5). The contracting department will make the final recommendation, prepare contracts for review by the City Attorney, and prepare the recommendation for the City Council including the following:

1. Description and scope of the project;
2. Recommended firm;
3. Contract cost;
4. Time limits;
5. Basis for selection;
6. Source for funding;
7. Equal Business Opportunity Ordinance compliance; and
8. Recommendation that the contract be approved by the City Council.

Contract Award

A provision must be written in each contract with an architect or engineer requiring them to work with Equal Opportunity/Equity Assurance Department in creating and identifying separate work.

Project Evaluation

An evaluation shall be made of each contract after its completion to be used in consideration of future professional services contracts. The evaluation shall cover appropriate items from the check list for ranking applicants. A copy of the evaluation shall be given to the consultant, and any comment he/she cares to make shall be included in the files.

DECLARATION OF PERFORMANCE BY CONSULTANT/CONTRACTOR

Briefly address each of the following items:

1. A brief synopsis of the company and the products/services it provides:

2. Describe the normal procedure used on a bid of this type, giving the flow of purchase from the company to the ultimate purchaser:

3. List anyone outside of your company with whom you will contract on this bid:

The undersigned consultant/contractor certifies that: (check appropriate box)

- a) _____ It is the normal business practice of the consultant/contractor to perform all elements of the contract with its own workforce without the use of subcontractors/vendors; and
- b) _____ That the above documentation demonstrates this *firm's* capabilities to perform all elements of the contract with its own work force or without the use of subcontractors/vendors.
- c) _____ The vendor/contractor will use a subconsultant(s) in the fulfillment of this scope of work.

Date

Authorized Signature

**PARTICIPATION DOCUMENTATION
(TO BE COMPLETED BY PRIME CONSULTANT/CONTRACTOR ONLY)**

Names of all firms Project (including prime and subconsultants/sub- contractors)	Location	SDBE Firm Yes/No	Nature of Participation	% of Project Work

TOTAL _____

Name - Authorized Officer of Prime Consultant/Contractor Firm (Print/Type)

Signature - Authorized Officer of Prime Consultant/Contractor Firm

Date

Managerial Profile

Name of Firm: _____

Contact Person: _____

Title: _____

Address: _____

Telephone No.: _____

Date: _____

List the managerial persons in your work force who will be participating in this project, including name, position, and whether the individuals are minority or woman within the definition* of the City of Durham's Equal Business Opportunity Ordinance.

Managerial Employees

NAME	POSITION	SOCIALLY/ECONOMIC ALLY DISADVANTAGED* (YES/NO)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

* M-Minority (African American) W-Woman Other-H-Hispanic, AI-American Indian, AS-Asian American, Handicapped

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT
(You may submit your organization's EEO policy in lieu of this sheet)

Part A – Employee Statistics for the Primary Location

Employment Category	Total Employees	M---a--- ---e---s			F---e---m---a--- ---e---s								
		Total Males	Total Females	White	Black	Hispanic	Asian or Alaskan Islander	Indian or Alaskan Native	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manger													
Professional													
Labor													
Clerical													
Totals													

Part B – Employee Statistics for the Consolidated Company *(See instructions for this form on whether this part is required.)*

Employment Category	Total Employees	M---a--- ---e---s			F---e---m---a--- ---e---s								
		Total Males	Total Females	White	Black	Hispanic	Asian or Alaskan Islander	Indian or Alaskan Native	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manger													
Professional													
Labor													
Clerical													
Totals													

Letter of Intent to Perform as a Sub-Consultant

The undersigned intends to perform work in connection with the above project as a SDBE:

Minority (African American) • Woman • Hispanic •
American Indian • Asian American • Handicapped •

The SDBE status of the undersigned is certified by the City of Durham as identified by the attached copy of certification or the attached SDBE Contractor Identification List supplied by the EO/EA Department.

The undersigned is prepared to perform the following described work in connection with the above project (specify in detail particular work items or parts thereof to be performed):

You have projected the following commencement date for such work, and the undersigned is projecting completion of such work as follows:

<u>ITEMS</u>	<u>PROJECTED COMMENCEMENT DATE</u>	<u>PROJECTED COMPLETION DATE</u>

The undersigned will subcontract _____% of the dollar value of this contract to a SDBE subconsultant/subcontractor and/or non-SDBE subconsultant/subcontractor.

The undersigned will enter into a formal agreement in the amount of \$_____ for the above work with you, conditioned upon your execution of a contract with the City of Durham.

Name _____ Title _____

Company _____ Telephone _____

Address _____

Signature _____

REQUEST TO CHANGE SDBE PARTICIPATION

Project: _____

Name of bidder or consultant: _____

Name and title of representative bidder or consultant: _____

Address (including zip code): _____

Telephone number: _____ Fax number: _____

Email address: _____

Total amount of original contract, before any change orders or amendments: _____

Total amount of the contract, including all approved change orders and amendments to date, but not counting the changes proposed in this form: _____

Dollar amount of changes proposed in this form: _____

The proposed change (*check one*) ☐ **increases** ☐ **decreases** the dollar amount of the bidder's/consultant's contract with the City.

Does the proposed change decrease the SDBE participation? (*Check one*) ☐ **yes** ☐ **no**

If the answer is **yes**, complete the following:

BOX A. For the subcontract proposed to be changed (increased, reduced, or eliminated):

Name of subconsultant: _____

Goods and services to be provided before this proposed change: _____

Is it proposed to eliminate this subcontract? ☐ yes ☐ no

If the subcontract is to be increased or reduced, describe the nature of the change (*such as adding \$5,000 in environmental work and deleting \$7,000 in architectural*):

Dollar amount of this subcontract before this proposed change: _____

Dollar amount of this subcontract after this proposed change: _____

This subconsultant is (*check one*):

☐ 1. City-certified Black-owned SDBE

☐ 2. City-certified Women-owned SDBE

3. City-certified SDBE that is neither Black-owned nor women owned, but to be credited as

3(a) ☐ Black-owned SDBE

3(b) ☐ Women-owned SDBE

☐ 4. not a City-certified SDBE

BOX B. Proposed subcontracts other than the subcontract described in Box A above

Name of subcontractor for the new work: _____

Goods and services to be provided by this proposed subcontract: _____

Dollar amount proposed of this proposed subcontract: _____

This subcontractor is (*check one*):

☐ 1. City-certified Black-owned SDBE

☐ 2. City-certified women-owned SDBE

3. City-certified SDBE that is neither Black-owned nor women owned, but to be credited as

3(a) ☐ Black-owned SDBE

3(b) ☐ Women-owned SDBE

☐ 4. not a City-certified SDBE

Add additional sheets as necessary.

SDBE GOALS NOT HAVING BEEN MET. The following information must be presented by the consultant concerning good faith efforts taken.

It is the responsibility of consultants to make good faith efforts. Any act or omission by the City shall not relieve them of this responsibility. For future efforts, it shall be comprised of such efforts which are proposed to allow equitable participation of socially and economically disadvantaged employees and sub-consultants/subcontractors. The City Manager shall apply the following criteria, with due consideration of the quality, quantity, intensity and timeliness of efforts of consultants/contractors, in determining good faith efforts to engage SDBEs along with other criteria that the City Manager deems proper:

Name of Bidder: _____

*If you find it helpful, feel free to attach pages to explain your answers. **How many pages is your firm attaching to this questionnaire?** _____ (Don't count the 2 pages of this questionnaire.)*

If a yes or no answer is not appropriate, please explain the facts. All of the answers to these questions relate only to the time before your firm submitted its bid or proposal to the City. In other words, actions that your firm took after it submitted the bid or proposal to the City cannot be mentioned or used in any answers.

1. SOLICITING SDBEs.

- (a) Did your firm solicit, through all reasonable and available means, the interest of all SDBEs certified (that is, in the City's database) in the scopes of work of the contract? ☐ **yes** ☐ **no**
- (b) In such soliciting, did your firm advertise? ☐ **yes** ☐ **no** Are you attaching copies to this questionnaire, indicating the dates and names of newspaper or other publication for each ad if that information is not already on the ads? ☐ **yes** ☐ **no**
- (c) In such soliciting, did your firm send written (including electronic) notices or letters? Are you attaching one or more sample notices or letters? ☐ **yes** ☐ **no**
- (d) Did your firm attend the pre-bid conference? ☐ **yes** ☐ **no**
- (e) Did your firm provide interested SDBEs with timely, adequate information about the plans, specifications and requirements of the contract? ☐ **yes** ☐ **no**
- (f) Did your firm follow up with SDBEs that showed interest? ☐ **yes** ☐ **no**
- (g) With reference to the SDBEs that your firm notified of the type of work to be subcontracted -- Did your firm tell them:
- (i) the specific work your firm was considering for subcontracting? ☐ **yes** ☐ **no**
 - (ii) that their interest in the contract is being solicited? ☐ **yes** ☐ **no**
 - (iii) how to obtain and inspect the applicable plans and specifications and descriptions of items to be purchased? ☐ **yes** ☐ **no**

2. BREAKING DOWN THE WORK.

- (a) Did your firm select portions of the work to be performed by SDBEs in order to increase the likelihood that the goals would be reached? ☐ **yes** ☐ **no**
- (b) If **yes**, please describe the portions selected. **ANSWER:**

See next page for remaining questions.

3. NEGOTIATION. In your answers to 3, you may omit information regarding SDBEs for which you are providing Form E-105.

(a) What are the names, addresses, and telephone numbers of SDBEs that you contacted? **ANSWER:**

(b) Describe the information that you provided to the SDBEs regarding the plans and specifications for the work selected for potential subcontracting. **ANSWER:**

(c) Why could your firm not reach agreements with the SDBEs that your firm made contact with? Be specific. **ANSWER:**

4. ASSISTANCE TO SDBEs ON BONDING, CREDIT, AND INSURANCE.

(a) Did your firm or the City require any subcontractors to have bonds, lines of credit, or insurance?

☐ **yes** ☐ **no** (Note: In most projects, the City has no such requirement for *subcontractors*.)

(b) If the answer to (a) is **yes**, did your firm make efforts to assist SDBEs to obtain bonds, lines of credit, or insurance? ☐ **yes** ☐ **no** If **yes**, describe your firm's efforts. **ANSWER:**

(c) Did your firm provide alternatives to bonding or insurance for potential subcontractors? ☐ **yes** ☐ **no** If **yes**, describe. **ANSWER:**

5. GOODS AND SERVICES. What efforts did your firm make to help interested SDBEs to obtain goods or services relevant to the proposed subcontracting work? **ANSWER:**

6. USING OTHER SERVICES.

(a) Did your firm use the services of the City to help solicit SDBEs for the work? ☐ **yes** ☐ **no** Please explain. **ANSWER:**

(b) Did your firm use the services of available minority/women community organizations, minority and women contractors' groups, government-sponsored minority/women business assistance agencies, and other appropriate organizations to help solicit SDBEs for the work?

☐ **yes** ☐ **no** Please explain. **ANSWER:**

SAMPLE

Office Use Only:

Vendor # _____

Payment # __ of __

City of Durham

**Youth Services Contract
Miscellaneous Service Contract**

Please X one of the following categories

☐ Business, individual who represents others,
individual who provides equipment/supplies

☐ Individual contractor who does not represent others
and/or does not provide equipment/supplies

Program Unit _____

Budget Responsibility Code ☐☐☐☐☐☐☐☐

Contact Person _____
Last Name First Name MI

Name of Business _____
(Enter official name)

Street Address _____ City _____, NC Zip _____

Phone #: Home: _____ Work: _____ Ext. _____

Description of Service provided _____

Service Beginning Date ☐☐-☐☐-☐☐ Contract Expiration Date ☐☐-☐☐-☐☐
Month Day Year Month Day Year

Location(s)	Day(s)	Time(s)	Total Number of hours
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Total Contract Price \$ ☐☐☐☐.☐☐ No. of Payments **01** to paid _____
(Monthly)

List specific equipment/supplies to be provided by contractor to complete scope of work _____

I have read the conditions and information set forth in this contract (front and back) and understand all items listed. I agree to the following terms marked by an 'X' as listed in Section I on the reverse side of this contract.

A	B	C	D	E	F	G
----------	----------	----------	----------	----------	----------	----------

I further understand that the City of Durham will be responsible for the following items marked by an 'X' as listed in Section II on the reverse side of this contract.

H	I	J	K
----------	----------	----------	----------

As a contracted instructor, I acknowledge with my signature that I am not a current part time or full time employee of the City of Durham.

Contractor
Signature/Date

Program Coordinator
Signature/ Date

Division/Department Head
Initial/Date

City Manager
Signature/ Date

Finance Director
Signature/Date

- A. Submit scope of work to be provided to City of Durham.
- B. Provide response if necessary.
- C. Not produce nor design any publicity without prior approval of the City of Durham.
- D. Submit attendance forms to the City of Durham as requested.
- E. Contact the JobLink Manager if unable to perform during the time frame of the contract with arrangements.
- F. Before leaving the facility, return it to the condition it was prior to the beginning of your activity.
- G. Please note all of the following:
 - 1. Services rendered are on a contractual basis.
 - 2. City of Durham employee benefits, rights, and procedures are not applicable.
 - 3. All taxable income must be reported to State/Federal Government.

II. The City of Durham will be responsible for the following items marked by an "X" on the reverse side of this

contract:

- H. Meet with the contractor prior to the beginning of the service to approve the scope of work submitted by the contractor.
- I. Provide a clean, safe, and appropriate meeting space for the specified time period as indicated on the contract.
- J. Compensate contractor as per contract.
 - Please note in reference to performances:
 - 1. Payment can be provided following the conclusion of performance(s) if stated in contract.
 - 2. If the weather is such that the City of Durham cancels the performance and the Contractor is contacted before the performance time or before all performers leave for the performance site, whichever is later, there will be no fee paid.
 - 3. If the weather is such that the City of Durham cancels the performance after the performer reaches the performance site and the performer cannot perform, the Contractor will receive one-half fee of contract.
 - 4. If the weather is such that the City of Durham cancels the performance after the performer has begun the performance, the Contractor will receive the full fee.
 - 5. If the quality of the performance does not attain the quality level as outlined by both parties prior to the performance, the fee will not be paid.
- K. Unless prearranged, contract payments will be mailed directly from the Accounting Division as per the contract. Any discrepancy on the amount of a payment must be noted to the JobLink Manager in writing with backup attached.

III. The City of Durham is not responsible for damage, loss, or theft of personal property.

IV. The terms of this contract may be terminated by either party upon five days written notice or immediately depending on

the severity of the contract violation. Immediate termination must be approved verbally by the City of Durham or designee.

V. Contractors may request a meeting with the City of Durham Workforce Development Administrator if they do not agree

with contract termination and/or the Departmental refusal to renew the contract. This meeting must be scheduled prior to the effective date of contract termination and/or contract renewal.

VI. Any alteration of the service fee must be approved by the City of Durham.

Rev. 4/01 -DPR